

**IN THE CLAIMS:**

Kindly amend the claims, as follows:

- 1 1. (Previously presented) A system for replay of a backup memory in a storage system  
2 having a file system for managing transfer of data to and from an attached disk array, the  
3 system comprising:  
4 a log in the backup memory containing the storage system transaction entries ac-  
5 cumulated after a consistency point at which time results of the storage system transac-  
6 tion entries are committed to the disk array;  
7 an initiator process that establishes a swarm of messages with respect to the stor-  
8 age system transaction entries and delivers the swarm to the file system; and  
9 a disk information-retrieval process in the file system that is carried out on the  
10 swarm of messages in parallel.
- 1 2. (Original) The system as set forth in claim 1 wherein each of the messages of the  
2 swarm is identified by a transaction block including a pointer to one of the transaction  
3 request entries in the log, respectively, and a state that indicates whether each of the mes-  
4 sages is one of (a) newly transferred to the file system, (b) subject to completion of a  
5 LOAD phase thereon by the disk information-retrieval process, (c) subject to completion  
6 of a MODIFY phase thereon by a MODIFY process of the file system or (d) incapable of  
7 being subject to the LOAD phase until a prerequisite event occurs.
- 1 3. (Original) The system as set forth in claim 2 wherein the prerequisite event is com-  
2 pletion of the LOAD phase and a MODIFY phase with respect to another of the mes-  
3 sages.

1 4. (Original) The system as set forth in claim 3 wherein the initiator process is adapted  
2 to retransfer each of the messages incapable of being subject to a load phase until the pre-  
3 requisite event occurs to the file system for completion of the LOAD phase after the pre-  
4 requisite event occurs, respectively.

1 5. (Original) The system as set forth in claim 4 wherein the initiator is adapted to estab-  
2 lish a skip state with respect to skipped messages for which a portion of the disk array  
3 associated therewith is unavailable, the skip state thereby omitting the skipped messages  
4 from the swarm.

1 6. (Original) The system as set forth in claim 4 wherein the file system includes a panic  
2 state adapted to alert an operator if a first message received from the initiator in the  
3 swarm is a message incapable of being subject to a load phase until a prerequisite event  
4 occurs.

1 7. (Original) The system as set forth in claim 4 wherein the file system includes a panic  
2 state adapted to alert an operator if a message retransferred by the initiator process is a  
3 message incapable of being subject to a load phase until a prerequisite event occurs.

1 8. (Original) The system as set forth in claim 1 wherein the backup memory comprises  
2 a non-volatile random access memory (NVRAM).

1 9. (Original) The system as set forth in claim 1 wherein the storage system comprises a  
2 network storage appliance.

1 10. (Original) A method for replay of a backup memory in a storage system having a file  
2 system for managing transfer of data to and from an attached disk array, the method  
3 comprising:

4           accumulating, in a log in the backup memory, storage system transaction request  
5 entries after a consistency point at which time results of the transaction request entries are  
6 committed to the disk array;

7           establishing a swarm of messages with respect to the transaction request entries  
8 and delivering the swarm to the file system; and

9           performing a disk information-retrieval process of the file system on the swarm of  
10 messages in parallel.

1   11. (Original) The method as set forth in claim 10 further comprising establishing, for  
2 each of the messages of the swarm, a transaction block including a pointer to one of the  
3 transaction request entries in the log, respectively, and a state that indicates whether each  
4 of the messages is one of (a) newly transferred to the file system, (b) subject to comple-  
5 tion of a LOAD phase thereon by the disk information-retrieval process, (c) subject to  
6 completion of a MODIFY phase thereon by a MODIFY process of the file system or (d)  
7 incapable of being subject to the LOAD phase until a prerequisite event occurs.

1   12. (Original) The method as set forth in claim 11 wherein the prerequisite event is com-  
2 pletion of the LOAD phase and a MODIFY phase with respect to another of the mes-  
3 sages.

1   13. (Original) The method as set forth in claim 12 further comprising retransferring each  
2 of the messages incapable of being subject to a load phase until the prerequisite event oc-  
3 curs to the file system for completion of the LOAD phase after the prerequisite event oc-  
4 curs, respectively.

1   14. (Original) The method as set forth in claim 10 wherein the storage system comprises  
2 a network storage appliance.

1 15. (Original) A computer-readable medium including program instructions executing on  
2 a computer for parallelized replay of a backup memory in a storage system having a file  
3 system for managing transfer of data to and from an attached disk array, the program in-  
4 structions performing the steps of:

5 accumulating, in a log in the backup memory, storage system transaction request  
6 entries after a consistency point at which results of the transaction request entries are  
7 committed to the disk array;

8 establishing a swarm of messages with respect to the transaction request entries  
9 and delivering the swarm to the file system; and

10 performing a disk information-retrieval process of the file system on the swarm of  
11 messages in parallel.

1 16. (Original) The computer-readable medium as set forth in claim 15 further comprising  
2 establishing, for each of the messages of the swarm, a transaction block including a  
3 pointer to one of the transaction request entries in the log, respectively, in the log and a  
4 state that indicates whether each of the messages is one of (a) newly transferred to the file  
5 system, (b) subject to completion of the LOAD phase thereon by the disk information-  
6 retrieval process, (c) subject to completion of a MODIFY phase thereon by a MODIFY  
7 process of the file system or (d) incapable of being subject to the LOAD phase until a  
8 prerequisite event occurs.

1 17. (Original) The computer-readable medium as set forth in claim 16 wherein the pre-  
2 requisite event is completion of the LOAD phase and a MODIFY phase with respect to  
3 another of the messages.

1 18. (Original) The computer-readable medium as set forth in claim 17 further comprising  
2 retransferring each of the messages incapable of being subject to a load phase until the  
3 prerequisite event occurs to the file system for completion of the LOAD phase after the  
4 prerequisite event occurs, respectively.

1 19. (Original) The computer-readable medium as set forth in claim 15 wherein the stor-  
2 age system comprises a network storage appliance.

1 20. (Currently amended) An apparatus for replay of a backup memory in a storage system  
2 having a file system for managing transfer of data to and from an attached disk array,  
3 comprising:  
4 a processor to determine a consistency point in time, said apparatus containing at  
5 least one transaction entry accumulated after the consistency point, where ~~before~~ at the  
6 time of the consistency point the transaction entries are committed to the disk array;  
7 a plurality of messages, each message of said plurality of messages being related  
8 to a transaction entry of said transaction entries accumulated after the consistency point,  
9 said plurality of messages being referred to as a swarm of messages;  
10 an initiator process to deliver the swarm of messages to the file system; and  
11 a disk information-retrieval process that processes the swarm of messages in par-  
12 allel, ~~to reestablish the storage system transactions after the consistency point.~~

1 21. (Previously presented) The apparatus as set forth in claim 20, further comprising:  
2 each of the messages of the swarm is identified by a transaction block including a  
3 pointer to one of the transaction request entries

1 22. (Previously presented) The apparatus as set for in claim 20, further comprising:  
2 a state that indicates whether each of the messages is one of  
3 (a) newly transferred to the file system,  
4 (b) subject to completion of a LOAD phase thereon by the disk informa-  
5 tion-retrieval process,  
6 (c) subject to completion of a MODIFY phase thereon by a MODIFY pro-  
7 cess of the file system, or

8 (d) incapable of being subject to the LOAD phase until a prerequisite  
9 event occurs.

1 23. (Previously presented) The apparatus as set forth in claim 22, further comprising:  
2 the prerequisite event is completion of the LOAD phase and a MODIFY phase  
3 with respect to another of the messages.

1 24. (Previously presented) The apparatus as set forth in claim 23, further comprising:  
2 the initiator process is adapted to retransfer each of the messages incapable of be-  
3 ing subject to a load phase until the prerequisite event occurs to the file system for com-  
4 pletion of the LOAD phase after the prerequisite event occurs, respectively.

1 25. (Previously presented) The apparatus as set forth in claim 20, further comprising:  
2 the initiator is adapted to establish a skip state with respect to skipped messages  
3 for which a portion of the disk array associated therewith is unavailable, the skip state  
4 thereby omitting the skipped messages from the swarm.

1 26. (Currently amended) A method for replay of a backup memory in a storage system  
2 having a file system for managing transfer of data to and from an attached disk array, the  
3 method comprising:  
4 accumulating a one or more transaction request ~~entry~~ entries after a consistency  
5 point, said consistency point is a time ~~before~~ at which results of the transaction request  
6 entries are committed to the disk array;  
7 establishing a plurality of messages with respect to the transaction request entries,  
8 said plurality of messages being referred to as a swarm of messages and delivering the  
9 swarm to the file system; and  
10 executing a disk information-retrieval process on the swarm of messages in paral-  
11 lel, ~~to reestablish the storage system transaction entries after the consistency point, the~~  
12 ~~messages of the swarm of messages being executed in parallel.~~

1 27. (Previously presented) The method as set forth in claim 26, further comprising:  
2 establishing, for each of the messages of the swarm, a transaction block including  
3 a pointer to one of the transaction request entries in the log.

1 28. (Currently amended) The method as set forth in claim 2820, further comprising:  
2 establishing a state that indicates whether each of the messages is one of  
3 (a) newly transferred to the file system,  
4 (b) subject to completion of a LOAD phase thereon by the disk informa-  
5 tion-retrieval process,  
6 (c) subject to completion of a MODIFY phase thereon by a MODIFY pro-  
7 cess of the file system, or  
8 (d) incapable of being subject to the LOAD phase until a prerequisite  
9 event occurs.

1 29. (Previously presented) The method as set forth in claim 28, further comprising:  
2 using as the prerequisite event completion of the LOAD phase and a MODIFY  
3 phase with respect to another of the messages.

1 30. (Previously presented) The method as set forth in claim 29, further comprising:  
2 retransferring each of the messages incapable of being subject to a load phase un-  
3 til the prerequisite event occurs to the file system for completion of the LOAD phase af-  
4 ter the prerequisite event occurs.

1 31. (Currently amended) An apparatus for replay of a backup memory in a storage system  
2 having a file system for managing transfer of data to and from an attached disk array,  
3 comprising:  
4 means for accumulating, a transaction request entry after a consistency point, said  
5 consistency point is a time ~~before~~at which results of the transaction request entries are  
6 committed to the disk array;

7 means for establishing a plurality of messages with respect to the transaction re-  
8 quest entries, said plurality of messages being referred to as a swarm of messages and  
9 delivering the swarm to the file system; and

10 means for processing a disk information-retrieval process of the file system on the  
11 swarm of messages in parallel, ~~to reestablish the storage system transaction entries after~~  
12 ~~the consistency point, the messages of the swarm of messages being executed in parallel.~~

1 32. (Previously presented) The apparatus as set forth in claim 31, further comprising:

2 means for establishing, for each of the messages of the swarm, a transaction block  
3 including a pointer to one of the transaction request entries in the log.

1 33. (Previously presented) The apparatus as set forth in claim 32, further comprising:

2 means for establishing a state that indicates whether each of the messages is one  
3 of

4 (a) newly transferred to the file system,

5 (b) subject to completion of a LOAD phase thereon by the disk informa-  
6 tion-retrieval process,

7 (c) subject to completion of a MODIFY phase thereon by a MODIFY pro-  
8 cess of the file system, or

9 (d) incapable of being subject to the LOAD phase until a prerequisite  
10 event occurs.

1 34. (Previously presented) The apparatus as set forth in claim 33, further comprising:

2 means for using as the prerequisite event completion of the LOAD phase and a  
3 MODIFY phase with respect to another of the messages.



1 35. (Previously presented) The apparatus as set forth in claim 34, further comprising:  
2 means for retransferring each of the messages incapable of being subject to a load  
3 phase until the prerequisite event occurs to the file system for completion of the LOAD  
4 phase after the prerequisite event occurs.

1 36. (Previously presented) A computer readable media, comprising:  
2 said computer readable media having instructions written thereon for execution on  
3 a processor for the practice of the method of claim 10 or claim 26.

1 37. (Currently amended) Electromagnetic signals propagating on a computer network,  
2 comprising:  
3 said electromagnetic signals carrying instructions for execution on a processor for  
4 the practice of the method of claim 10 ~~and~~ or 26.

Please add the following new claims 38-45:

1 38. (New) The system of claim 1, further comprising:  
2 a third process that modifies at least some messages in the swarm of messages  
3 based on the order in which storage system transaction entries were stored in the log.

1 39. (New) The method of claim 10, further comprising:  
2 modifying at least some messages in the swarm of messages based on the order in  
3 which storage system transaction request entries were accumulated in the log.

1 40. (New) The method of claim 26, further comprising:  
2 modifying at least some messages in the swarm of messages based on the order in  
3 which transaction request entries were accumulated in the log.

1 41. (New) A file system, comprising:  
2 a backup memory storing a plurality of file system transaction entries;  
3 a first process that establishes a swarm of messages with respect to the file system  
4 transaction entries and delivers the swarm of messages to the file system;  
5 a second process that performs a LOAD phase in a concurrent manner for a plu-  
6 rality of messages in the swarm of messages; and  
7 a third process that performs a MODIFY phase for at least some messages in the  
8 swarm of messages, the MODIFY phase operating on messages based on the order in  
9 which file system transaction entries were stored in the backup memory.

1 42. (New) The file system of claim 41, further comprising:  
2 a fourth process that determines whether a file system transaction entry corre-  
3 sponds to a file system transaction that can be performed right away.

1 43. (New) The file system of claim 42, wherein the fourth process, in response to de-  
2 termining that the file system transaction can not be performed right away, associates the  
3 file system transaction entry with a LOAD RETRY state until a prior prerequisite trans-  
4 action is performed.

1 44. (New) A method, comprising:  
2 storing a plurality of file system transaction entries in a backup memory;  
3 establishing a swarm of messages with respect to the file system transac-  
4 tion entries;  
5 delivering the swarm of messages to a file system;  
6 performing a LOAD phase in a concurrent manner for a plurality of mes-  
7 sages in the swarm of messages; and  
8 performing a MODIFY phase for at least some messages in the swarm of  
9 messages, the MODIFY phase operating on messages based on the order in which  
10 file system transaction entries were stored in the backup memory.

- 1    45.    (New)  A system, comprising:  
2                means for storing a plurality of file system transaction entries in a backup  
3                memory;  
4                means for establishing a swarm of messages with respect to the file system  
5                transaction entries;  
6                means for delivering the swarm of messages to a file system;  
7                means for performing a LOAD phase in a concurrent manner for a plural-  
8                ity of messages in the swarm of messages; and  
9                means for performing a MODIFY phase for at least some messages in the  
10              swarm of messages, the MODIFY phase operating on messages based on the or-  
11              der in which file system transaction entries were stored in the backup memory.